IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

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**WRIT PETITION NO : 13015 of 2003**

Between:

G. Sundara Raju, S/o. M. Karunachari, Christian
Convener Education Committee, Convention of Baptist

Churches, Northern Circars, R/o. Wolvertanpet, Akiveedu,

West Godavari District.

**... PETITIONER**

AND

1. Government of A.P., rep. by its Secretary, Education

   Department, Secretariat, Hyderabad.
2. Commissioner and Director of School Education,

   Government of A.P.,Hyderabad.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ, order or direction more particularly one in the nature of Mandamus directing the respondents to pass orders U/s. 24 of the Education Act recognizing the petitioner as Convener of Education Committee of CBCNC forthwith as per the Resolution appointment of the petitioner by the CBCNC vide proceedings No.62, dated 9.11.2002 of CBCNC.

**Counsel for the Petitioner: MR.M.S.PRASAD**

**Counsel for the Respondents GP FOR SCHOOL EDUCATION**

**The Court made the following :**

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**ORDER:**

The petitioner made a representation to the second respondent on 23.06.2003, requesting to recognize him as convener of Education Committee of Convention of Baptist Churches, Northern Circars (CBCNC). Alleging that in spite of the orders passed by the learned Senior Civil Judge, Vijayawada, the second respondent did not pass any orders, the present writ petition is filed on 2.07.2003, praying for the following relief:

"For the reasons stated in the accompanying affidavit, the petitioner prays that this Hon'ble Court may be pleased to issue appropriate writ, order or direction, more particularly one in the nature of mandamus, directing the respondents to pass orders under Section 24 of the Education Act recognizing the petitioner as Convener of Education Committee of CBCNC forthwith as per the Resolution appointment of the petitioner by the CBCNC vide proceedings No.62, dated 9.11.2002 of CBCNC and to pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case."

This Court adjourned the matter on number of occasions and ultimately admitted the matter on 12.12.2003. In the interregnum, it appears the second respondent passed orders vide proceedings Rc.No.18/B1-2/2002, dated 25.08.2003, rejecting the request of the petitioner for recognition as convener of CBCNC. As the relief prayed for by the petitioner does not survive, the petitioner's remedy lies in challenging the proceedings of the Commissioner by way of a separate writ petition. Giving liberty to do so and without expressing any opinion on the merits of the case, the writ petition is dismissed. There shall be no order as to costs.

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**(V.V.S.RAO, J)**

7th October, 2004.

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To

1. The Secretary, Government of A.P.,

Education Department, Secretariat, Hyderabad.

2) Commissioner and Director of School Education,

Government of A.P.,

Hyderabad.

3) Two C.Cs to the Govt.Pleader for School Education,

High Court buildings, Hyderabad (OUT)

4) Two C.D. copies.